

\*OGC Has Reviewed\*

1 December 1954

MEMORANDUM FOR: Comptroller

SUBJECT : Reimbursement for the Use of Privately-owned  
Automobiles for Transportation Between the Place  
of Residence and the Place of Work - Overseas

REFERENCE : Memorandum from Comptroller, dated 25 October  
1954, with attachments

1. You have requested our opinion as to whether Agency employees stationed overseas may be reimbursed for the cost of using their privately-owned vehicles in commuting to and from work.

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2. The specific case submitted is that of an individual, assigned for duty in [REDACTED], whose residence was located some 16 miles from the station and who, because of the inadequacy of public transportation vis-a-vis established working hours, used his privately-owned vehicle for transportation to and from work, averaging some 170 miles a week. Reimbursement is claimed in the amount of \$245.40, representing an allowance for gas, oil, maintenance and depreciation for the period 22 October 1953 until 16 July 1954, at which time he was able to secure quarters in the proximate vicinity of his office.

3. At the outset, it may be stated that it is well established that it is the duty and the obligation of government employees to place themselves at their regular places of employment and to return to their residences at their own expense. Such expense as may be involved is considered to be personal with the result that payment may not be made from government funds. This principal is for application to government employees generally and such factors as hours of employment and the infrequency of public transportation do not justify exceptions being made. See Comptroller General Decision B-117159, October 20, 1953 (unpublished).

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4. While that provision of Section 10(a)(1) of the Central Intelligence Agency Act of 1949, which authorizes the furnishing of government transportation to Agency employees would, in a proper case, constitute authority to make an expenditure of the nature here involved, it should be noted that the authority conferred is specifically limited to situations where the employees are engaged in work which makes such transportation necessary. We believe that this requires the existence of factors other than the distance between an employee's residence and his place of employment. Thus, our opinion in the [REDACTED] transportation matter may be distinguished, inasmuch as the facts there indicated that such factors as the location of the employment, unavailability

of proximate housing, unpredictability of hours of work and cover were all involved.

5. Accordingly, on the basis of the facts submitted, it is our opinion that the expenditure of government funds for the purpose suggested may not be authorized.

6. The papers are returned.

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Office of General Counsel

OGC:RJB:ss

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Subject ✓

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